MR. K. GEORGE (*Chief Secretary to Government*): (*a*) The distance between Changanachery and Manimala is 19 miles. There is no Criminal Court between these two places; but the Stationary Second Class Magistrate's Court at Ponkunnam is only 11 miles away from Manimala.

(*b*) There was a proposal to establish a Stationary Second Class Magistrate's Court at some station between Kanjirapally and Changanachery with a view to reduce materially the pressure of work in the First Class Magistrates' Courts in those stations. The then District Magistrate, Kottayam, who was referred to in the matter, reported that Karukachal was the only convenient station to establish a Magistrate's Court, and that a Magistrate's Court at the place would only reduce the file of the Kanjirapally First Class Magistrate's Court, but not that of the Changanacherry First Class Magistrate's Court. The District Magistrate was of the opinion that the establishment of two Magistrates' Courts, one at Changanacherry and the other at Kanjirapally, was necessary to relieve the existing congestion of work in the First Class Magistrates' Courts at the two places.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Is there any cartable road from Manimala to Ponkunnam?

MR. K. GEORGE (*Chief Secretary to Government*): I think there is a road.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): May I know what became of the proposal to establish a Magistrates Court at Karukachal?

MR. K. GEORGE (*Chief Secretary to Government*): There was a proposal, but it was dropped.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Is there any reason for dropping the proposal?

MR. K. GEORGE (*Chief Secretary to Government*): Yes, Government re-adjusted the jurisdiction of almost all the courts in the State. In that connection it was dropped. Government established a Stationary Magistrate's Court at Ponkunnam and invested the Tahsildar of Changanachery with the Second Class Magistrate's powers.

MR. K. P. MADHAVAN PILLAI (*Shertallai*): Was there not a Magistrate's court at Ponkunnam long ago?

MR. K. GEORGE (*Chief Secretary to Government*): There was one at Kanjirapalli. In re-adjusting the jurisdictions Government found that it was not necessary to establish another court at Karukachal.

Legislative Business.

THE JENMI AND KUDIYAN REGULATION AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, the next business is the third reading of the Jenmi and Kudiyan Regulation Amendment Bill. Before I make the motion for the passing of the Bill I want to move certain formal and non-controversial amendments.

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Clause 1.

Sir, I beg to move: In clause I, sub-clause (*a*), line 2, for the figure "110", substitute the figure "1108".

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

The amendment was put to the vote of the House and declared carried.

Clause III.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Then there are next three amendments which are not in the printed list and which are only formal amendments. I have got typed some spare copies and had them circulated. I shall now move them. I move that:

In sub-clause (a-1) line I of clause III, for the expression "Section 3 (1) of the said Regulation" substitute the expression "clause (1)'

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

PRESIDENT: You may put all the amendments to the same clause together.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move also:

In "sub clause (a-2): for the expression "Section 3 (2) of the said Regulation" substitute the expression "clause (2)".

Also, In sub-clause (c) for the expression "Section 3, (10) of the said Regulation" substitute the expression "clause (10)".

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

PRESIDENT: You may move all the amendments under clause III together.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move.

In sub-clause (d): Proposed clause (11) of Section 3, para 2 (*i. e.*, the definition of the term fractional fee) line 2:

For the word "five" substitute the word "seven".

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): In regard to this amendment I wish to add a word of explanation. This percentage refers to the yearly value for the renewal fees which according to the Bill as revised by the Select Committee was put at 7 per cent. In the second reading of the Bill this House reduced it to 5 percent, but afterwards the jenmies and the non-jenmies came to an agreement and it was agreed amongst all the parties that this provision, which was reduced by the House at the second reading, may be restored at the third reading.

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[Mr. Kayalam Parameswaran Pillai.]

I beg to move: In sub-clause (*e*); Proposed clause (12) of Section 3: sub-clause 2, line 2: For the word "twelve" substitute "sixteen".

This also arises out of the agreement which has been arrived at between the parties. It was agreed that the figure sixteen that was reduced to twelve by the House at the second reading may be restored at the third reading.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Then, there are two other amendments which are not in the printed list. I beg to move that,

In sub-clause (f): line 1: omit the words "in Section 3 of the said Regulation". Again, I move In sub-clause (f) line 5, insert the word "clauses" after the word "following" and in lines 5-6, omit the words "in section 3 of the said Regulation".

Then,

In sub-clause (f): Proposed clause (17) of section 3 (1), for sub-clauses (a) and (b) of the said clause (17) substitute the following:

"(*a*) so long as the last general Land Revenue Settlement made by Our Government remains in force, the jenmivaram shall, except in the case of cherikkal lands be the jenmikaram, and, in the case of cherikkal lands, the settlement pattamicham with reference to the said last Revenue Settlement *minus* the interest on the kanom amount shall be the jenmikaram; and

(*b*) if the jenmikaram as under clause (*a*) is altered or revised at or after any future general land Revenue Settlement under the provisions of this Regulation such altered or revised jenmikaram shall thence forward be the jenmikaram and, if it is not so altered or revised, the then existing jenmikaram shall continue to be the jenmikaram", and

After "Explanation 2" insert the following as Explanation 3.

"Explanation 3.—The term "cherikkal land" means all land recognised as such in the Sirkar accounts in which paddy or other cultivation is or has been carried on in recurring periods and on which until the last Revenue Settlement *malavaram or vilameladi* tax alone has either been levied or was leviable by Our Government when such land was cultivated".

With regard to this also, I may offer a word of explanation. This amendment makes a change specially applicable to the cherikkal lands. At the second reading there was no special provision relating to cherikkal lands, and in regard to *all* lands jenmivaram was fixed to be the jenmikaram but when the parties came to an agreement in regard to the enhancement or reduction of jenmikaram one of the terms of the agreement was that special provision should be made in regard to cherikkal lands, as regards the present jenmikaram, and it was agreed that in regard to cherikkal lands the settlement pattamicham *minus* the interest on the kanom amount should be the jenmikaram. In view of that agreement, arrived at when the proposed Section 14 was passed, I bring forward this amendment.

Then again I move,

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In sub-clause (f) : Proposed clause (18) of Section 3; Line 1 : After the word " Government " insert the words " by Rules or "

And in sub-clause (f) : Proposed clause (19) of Section 3 : line 2 : For the figure " 110 " substitute the figure " 1108 ".

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : I second the motion.

The above amendments relating to clause III were put and carried.

Clause IV.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move :

In proposed Section 5 Explanation 2 : for the second and third sentences in this Explanation, substitute the following :

" This prohibition shall apply also in the case of all applications made and suits instituted even before the commencement of the Amendment Regulation if such applications or suits are pending disposal on the date of the commencement of the Amendment Regulation and were made or instituted as the case may be, after the 19th Meenom 1105. The term " suit " herein includes also applications for the execution of decrees passed in suits ".

With regard to this, I may say that it is substantially the same as what was passed by this House at the second reading. So that the meaning may be made clear, I have redrafted it.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : I second it.

The amendment was put and carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I move : In proposed Section 12 : Line 5 :

(i) Omit the words " or notice " and

(ii) after the word " may " insert the words " until the receipt of the notice ", and

in proposed Section 14 · sub-section 2 :

(i) In Explanation 1, line 2, insert the word " future " after the word " any " and in line 3, substitute the word " such " for the word " that ".

(ii) In Explanation 2, line 1, omit the word " existing " and in line 2 after the word " paddy " where it occurs for the first time insert the words " or other commodity."

In line 2, for the words " the paddy " substitute the words " such commodity ".

In line 4, after the word " preceding " insert the words " the date of such comparison."

In line 6, for the words " by any percentage " substitute the words " in any proportion."

In Line 6, for the word " paddy " substitute the word "commodity"; and

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[Mr. Kayalam Paramesvaran Pillai.]

In line 7, for the words "by that percentage", substitute the words "in that proportion".

In proposed Section 14, sub-section (3): In line 6 for the word "passing" substitute the word "commencement."

Also, in proposed Section 14, sub-section (4) : after the word "shall" insert the brackets and words "(in case there be enhancement or reduction)".

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : I second the above amendments.

The amendments were put and carried.

Clause VI A.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : In clause VI A, I beg to move :

(i) In line 2, For the words "michavaram or other dues" substitute the words "michavaram or other dues are", and

(ii) In line 2, for "jenmikaram or any portion thereof" substitute the words "jenmikaram or any portion thereof is", and

(iii) Omit the portion "and for the word 'are' substitute the word 'is'"

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

The amendments were put and carried.

Clause VII.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I beg to move :

In the proposed Section 18 :

(i) Line 1 : After the word "paddy" insert the words "or other commodity", and

(ii) Line 2 : after the word "paddy" insert the words "or other commodity".

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

The amendments were put and carried.

Clause XIV.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I beg to move :

In sub-clause (*a*) : omit the word "and" occurring at the end ;

In sub-clause (*c*) :

(i) omit the words 'in Section 29 of the said Regulation", and

(ii) add the word "and" at the end, and

in sub-clause (*d*) : omit the words "in the said Section 29".

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

The amendments were put and carried.

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I beg to move : In the proposed Section 45; Explanation 3 : Line 2: For the word " any" occurring before the word " average", substitute the word " an " and

In the proposed Section 46: sub-section (1) : Number the present Explanation as Explanation 1 and insert the following as Explanation 2.

" Explanation : 2 — The power to fix rates includes the power to revise rates already fixed. "

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : I second it.

The amendments were put and carried.

NEW CLAUSES XXIII & XXIV.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : I beg to move that at the end of the Bill, the following new clauses be added:—

" XXIII. In the long title to the said Regulation, for the words " michavaram and other proprietary "the words" the jenmis' " shall be substituted.

" XXIV. In the preamble to the said Regulation,

(*a*) for the words " michavaram and other customary, proprietary " the word " jenmis " shall be substituted, and

(*b*) for the words " michavaram and other ", the word " jenmis' " shall be substituted. "

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*) : I second it.

The amendments were put and carried.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Sir, I now beg to move that the Bill as now amended be passed.

Sir, we are now at the end of a very long period of 18 years of strenuous labour undertaken for finding a solution for the vexed question of the Jenmi and Kudiyan controversy. It was 36 years ago that the present law came into operation. Very soon it began to give dissatisfaction both to the Jenmies and the Kudiyans and 18 years ago Government had to appoint a committee, to enquire into the whole matter. One year later, this committee submitted their report with a draft Bill. This report and draft Bill again gave rise to controversies—very bitter controversies. It was something like " from the frying pan to the fire " and the controversy became very acute. In settlement of the question, the Government published, in 1924, their first Bill to amend the existing Regulation. This too did not give satisfaction to any party; and the Bill was not introduced in this House. In fact it had to be dropped. As the matter, however, became very acute and had to be settled, the Dewan, in 1929, held a round table conference of gentlemen representing the diverse interests in order to attempt to arrive at the maximum agreement possible. This conference sat for seven days and reached certain conclusions on the lines of which the Bill which is now placed before the House for being

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[Mr. Kayalam Parameswaran Pillai.]

finally passed made its first appearance here on introduction in this House, three years ago, *viz.* in January 1930. During these three years the Bill saw many phases. It went to the Select Committee twice. This House itself sat over the Bill for 12 days excluding this day and the full House went into informal conference, into a committee as it were, for three days excluding the innumerable informal consultations held in the lobbies during recess hours. Besides, the Select Committee of the House sat over this measure for twenty-three days. This does not include the number of days during which the members of the second Select Committee toured the country for taking evidence. The second Committee divided into 3 parties and each of the Revenue Divisions of the State was covered by one party. Each party was in tour from 15 to 17 days and they examined 1,273 kanam documents in this short period.

Sir, I must here specially pay a warm tribute to the members of the committee, Messrs. Tuppan Namputiripad, Tariatu Kunjitomman, Damodaran Asan, Raman Namputiripad, E. V. Krishna Pillai, K. P. Abraham, and the late Mr. Jathavedan Namputiripad, who toured throughout the country and examined these many documents in such a short time at great personal sacrifice putting forth disinterested work most strenuously. Thus, Sir, a very long period of time and labour, has been spent upon this measure. The result, however, has been very satisfactory and Government have no cause whatever, Sir, to regret the very large facilities afforded for the passage of this measure. The law of the Jenmis and the Kudiyans undergoes by the present measure very fundamental changes, but all those fundamental changes have been effected with the full consent of the Jenmi and the Kudiyan interests. The Jenmi's claims against the Kudiyan now *i. e.* under the present law consist of the yearly claims such as the yearly rent and the periodical claims, such as customary dues and the renewal fees, and also certain claims of overlordship, such as for example the right to evict and cut and appropriate trees. All these have now been consolidated and all the pecuniary claims commuted at their yearly value into a yearly rent called the jenmikaram, in *lieu of all and every one* of the claims of the jenmi in respect of the land. Sir, this idea that there should be only a yearly money claim in lieu of *all and every one* of the jenmis' claims came originally from my talented friend, Mr. Tuppan Namputiripad, to whose sound common sense and practical-mindedness supported by that of his shrewd compeers the nature of the present Bill owes so much and it was to consider this point that the Bill was committed to a Select Committee a second time. The provision relating to this yearly quit rent, in its final shape, will be found embodied in the proposed clause (17) of Section 3 with its complementary provision in the main clause of Section 5 which were passed unanimously by this House. Another question of fundamental importance on which there was great controversy and for the settlement of which there were last minute consultations with fear of a breakdown and hopes of rapprochment was the question of the periodical revision, the enhancement or reduction of the jenmis' dues, that is

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of the jenmikaram. The present law provides for a 12 yearly revision with reference to the changing conditions of the yield of the land. The jenmikaram fixed by this present Bill would however be permanent until the next Revenue Settlement. After a future Revenue Settlement by Government, the jenmikaram may be revised or reduced in accordance with the results of that Settlement, according to a simple rule devised and embodied in the present Bill. This provision is embodied in the proposed Section 14 as it sets at rest a fertile cause of bitterness and litigation between the jenmis and kudiyans and the provision has had the express consent of both the jenmis and kudiyans and was passed unanimously by the House. It has also been decided by the House, again unanimously, that there should be no payment in kind in the future but that everything should be paid in money only. This provision is embodied in the proposed Section 18 which was passed by the House without opposition from any quarter. As regards the money value to be paid for the jenmies' dues in kind, no fixed value has been adopted in this Bill but the fixing of it is left to Government who will be advised by a committee in which the jenmis' interests and the kudiyans' interests will be represented in equal numbers. There is one point more, Sir, I should like to advert to, *viz.*, the method of collecting the jenmies' dues. Pursuant to a unanimous request made by both the jenmi and kudiyan interests, Government have agreed to assume the collection of jenmikarams for payment over to jenmis. Sir, there have been some points on which there were divisions in this House, and it cannot be helped in a measure of this sort. But they are all comparatively minor points and not of any daily concern or of any far-reaching consequences. On all the fundamental points, however, Sir, there has been a unique agreement. Government fully trust that this measure, based as it is substantially on agreement, will conduce to the harmony, good will and material progress amongst the large community of jenmis and kudiyans. Sir, I have very great pleasure in moving that this Bill be passed.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I beg to second it.

MR. K. P. ABRAHAM (*Muvattupuzha* cum *Todupuzha*): Sir, with your permission I want to say a word. Now that we have been able to see the end of this important Bill, the end of which the whole of Travancore public have been yearning for so long, it is only proper that we in this House record with pleasure our sincere appreciation of the strenuous work done by the Law Member who has been in charge of the Bill, I mean, Mr. Kayalam Parameswaran Pillai.

The Chairman appointed for the second Select Committee was the late Mr. Krishna Aiyangar. He was not able to do much work in the direction for which the Committee was appointed. The Law Member took charge of the Chairmanship and it was through his guidance the Committee was able to do work, as pointed out by the Law Member himself. Both as the Chairman of the Committee and as the member in Charge of the Bill, he has done commendable work and it is that that has now enabled us to see through the end of the Bill. This Bill has its own peculiar difficulties. Divergent interests were

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[K. P. P. Abraham.]

represented in the same Committee and there were anxious and critical moments when the Committee discussed the Bill and when the Bill was discussed in this House. In those moments, we felt that there was a possibility of the Bill falling through on account of disagreement. But I should say that on account of the Law Member's quick perception of the divergent standpoints, his thorough mastery of the subject, and also his readiness to oblige both the conflicting interests, he was able to hold the balance even between the two conflicting interests. Although as the Chairman he was not able to tour round, he has been giving timely instructions to the members of the committees. Therefore, on behalf of myself and on behalf of my colleagues here, I have great pleasure to place on record our deep appreciation and thanks for the arduous work done in connection with this Bill by the Law Member, Mr. Kayalam Paramesvaran Pillai. I may here express our thanks to the Government for undertaking the arduous task of collecting the jenmikaram to the satisfaction of both the Jenmies and the Kudiyans.

MR. S. KRISHNA PILLAI (*Karunagapalli*): A word on this matter may not be out of place. A legislative enactment of this nature has been a matter of novel experience to all of us on this side of the House. It is only in connection with the discussion relating to this Bill that we happened to know what dangers and pitfalls there are in an important piece of legislation like this. In all these matters, we are in a position to frankly confess that the Law Member has been of considerable help and guidance to us. With his characteristic obstinacy on various points, and extreme goodwill in regard to others, we have been guided, in some instances perilously, and in other instances easily, through the Bill now taken up for third reading. This Bill had its reverses on various occasions and very many of us were even afraid that it might fall through. As the Bill is now before us, I am certain that it was never thought by those who drafted the Bill originally that it would be presented to this House. On various important points of principle, this Bill has undergone considerable changes and I am sure that the first draftsman of the Bill, as originally introduced in the House, would not be in a position to recognise the present Bill as the outcome of that Bill. The principle that has been adopted in this Bill, as I said, is at variance with, or has made a large departure from, the Bill as it was originally seen. In one important respect *viz.*, the fixing of jenmikaram it has varied considerably. There was an old proposal that in lieu of all and every right that is due to the jenmies something had to be paid. This on the basis of the Settlement pattamicham, was subsequently abandoned as unworkable and the jenmies very candidly and willingly came forward and said that in lieu of all and every dues to them they were prepared to accept an yearly payment of jenmivaram. This agreement on the part of the jenmies made the work for several of us very easy and it was after this was accepted by the jenmi members that we found that we could make headway with the Bill. After this principle was accepted,

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to me it appeared that the principal points of controversy were over. Then we came to the second point of controversy, *viz.*, the revision of jenmikaram. There also we spent a day or a day and a half. After a heated discussion the jenmi members made certain proposals which were readily accepted by the members of this House. In regard to this matter though we are sanguine that we have settled the controversies that existed between the jenmi and kudiyan during the last several generations, one cannot with any emphasis say that this is a Bill which is perfect in all respects. It is a Bill which has to be worked out. It contains principles which have to be fully threshed out. In the practical application of the Bill we would be confronted with various difficulties. In the harmonious working of the principles of the Bill the non-official members of this House look forward to the Government and we trust that the responsibility that has been entrusted to Government under the Bill will be properly, deligently and carefully discharged by them. The preparation of the jenmikaram register and the realisation of the jenmikaram are two important functions that have now to be discharged by the Government under this Bill. All the principles agreed to converge to this point, *viz.*, a permanent settlement of the jenmikaram and an easy method of realisation of the same. A peaceful and satisfactory acceptance of this Bill therefore depends entirely upon the way in which Government undertake and discharge this responsibility. Sir, I make this statement not because I am afraid that Government would do their work haphazardly but I want to lay particular emphasis upon this point in the hope that Government would, when starting this work, realise that a very heavy responsibility, a responsibility which will affect the intrests of the jenmies and kudiyans, who comprise one of the major sections of the population of this country, would rest upon Government. They should realise this aspect of the question before they undertake the work that is now entrusted to them.

Sir, there are two sections with regard to the realisation of the jenmikaram : one is to be utilised by the jenmi himself until the jenmikaram register is prepared and until Government proclaimed that they are willing to realise it; and the other is vesting the responsibility of collection on Government after the jenmikaram register is prepared. The jenmies have for a long time been trying to realise their dues from the kudiyans; and the kudiyans, in their exasperation, have been on some occasions evading the payment to the jenmi. These have to be averted. I understand that that was the prime grievance so far as the jenmis and kudiyans are concerned. Now, that grievance is to be exterminated by the undertaking made by Government in regard to the realisation of the jenmikaram. No doubt it is a matter which requires some little time, but as little time as possible must be taken for the purpose of preparing the jenmikaram register and for the realisation of the dues. There are summary remedies provided under this Regulation and those remedies would perhaps inconvenience both the jenmies and the kudiyans. Government should not rest content with the hopes

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[Mr. S. Krishna Pillai.]

that, even if Government are not in a position to push on vigorously with the duty of preparing the jenmikaram register, the jenmies have certain remedies open to them under the Regulation. The kudiyans and jenmies should as far as possible, be enabled not to deal with each other for any considerable length of time, especially, when there is this safe and sanguine provision in the Regulation for the Government to step in between them and collect the dues. With these few words, Sir, I support the motion now made and commend the interests of the kudiyans to the safe keeping of Government.

MR. K. GOPALAKRISHNA PILLAI (*Parur*): Sir, with your permission, I would also like to add a few words. I do so, for a reason quite different from those which have been mentioned here. This is a measure which would enable the worker and the peasant to have a right over the fruits of their labour. It gives the worker a right on the land which he has improved. It is a step in the direction of the abolition of private property and abolition of the last vestiges of feudalism. Viewed from that standpoint, it is a step in the right direction. I, therefore, congratulate Government for allowing the worker and the peasant a share in the scheme of things of this world. But it has not gone far enough. They are more the result of compromise on the representations of this House and I believe this would not be the last word on the legislation as the powers of this House and this House itself become more representative of the workers and the peasants. Further amendments of this Bill will surely become necessary and they will, in course of time, be enacted by this House. But, so far as it has gone, it has helped the peasants and the workers to claim a share of the results of these labours. So far as it enables him to do so, it deserves the congratulations of the worker and the peasant. But at the same time the worker and the peasant are not satisfied with the measure. I must place on record the fact that the worker and the peasant are not satisfied with what has been passed by this House. They have their own grievances to be redressed hereafter and I should like to bring that also to the notice of the Government. But, at the same time, they congratulate Government for enacting a measure like this which has enabled them to claim their own share in the scheme of things.

MR. E. V. KRISHNA PILLAI (*Kottarakara* cum *Kunnattur*): I have only two words to add; I do not think that if we stop at this stage and pass on to the next item in the agenda the House would be doing justice to all those who were responsible for this very commendable piece of legislation. I am quite sure that had it not been for the historic suggestion made by, to use the words of the Law Member, our talented friend Mr. Tuppan Namputiripad, certainly this Bill could not have taken the form which it has taken to-day. Nobody thought that the jenmi's interest on the jenmom holdings could have been reduced to that irreducible minimum as is found in the Bill just now, if it were not for the suggestion made by Mr. Tuppan Namputiripad

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that the jenmi community were entirely prepared to part with their interest in the land for a fixed money payment calculated on the basis suggested by him and approved of by the Council. It cannot be denied that it was with the formation of the second Select Committee to which reference has been made by the Law Member that this Bill met with such a progress. Soon after the formation of that second Select Committee, as Mr. K. P. Abraham has said, Mr. Krishna Aiyangar died and the whole thing was entrusted by the present Dewan to the Law Member. It was with him at the helm of affairs, as the head of the Select Committee, that we were able to do all that we could do.

As for the part the Law Member had in the Bill, that has been talked about and handsomely commended by all the previous speakers. The only point I wish to suggest in my congratulatory remark about the Law Member is that if anybody were to ask me to suggest to him a caricature of law I would certainly ask that gentleman to get a photo of our present Law Member. He is as unbending, as heartless, and as inexorable as law itself. We had to approach him on several occasions showing him very rosy pictures about the possibility of compromise about this and that but he would not listen to such things. He would have his own way. As was said by Mr. S. Krishna Pillai he was so obstinate and certainly it was his obstinancy which paved the way for the Bill which has attained so much now. I am also very much surprised to see him transcending, wherever necessary, the limits prescribed by the rules of this House and by the Government. His knack of coining very expressive expressions to meet the exigencies of the situation has also been admirable. He has been an Amarasimha himself in law drafting. For instance Settlement Pattamicham is an unheard of word. In ordinary parlance it has no meaning at all. But it conveys its own idea which cannot be conveyed by any other expression..... Another word is *jenmivaram*. I do not know where he has got it from. It has even caused some uneasiness to our Deputy President in as much as he could not distinguish between *jenmivaram* and *jenmikaram* on a former occasion when he spoke about them. In a way it was well and good and it is a very thorny question that has been agitating the country for a considerable length of time. And to come to a point made mention of by me on a previous occasion it is certainly to the credit of this House, which was not given its natural lease of life, that during the short period of its existence it was able to get through a very thorny piece of legislation to the satisfaction of all parties concerned and to the prosperity of the agricultural population in general in the country.

A word only about the seconder. Mr. R Nilakanta Pillai, has been indefatigably seconding almost always, about a hundred and odd times (*Laughter*). And I must express my indebtedness to the indefatigable seconder. (*Laughter*).

MR. C. N. TUPPAN NAMPUTIRIPAD (*Jenmies*): അധിക കാലമായി വഴക്കിൽക്കിടന്നിട്ടുള്ള ഈ ജന്മികുടിയാൻ കാര്യത്തെ സംബന്ധിച്ച് ഈ കൌൺസിലിൽ സമാധാനമായ ഒരു മനസ്ഥിതിയോടുകൂടി സംസാ

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[Mr. C. N. Tuppan Namputiripad.]

രിക്കുന്നതിനുള്ള അവസരം എനിക്കിപ്പോഴാണു നൽകീട്ടുള്ളതു് (*Hear, hear,*) ഇപ്രകാരം ഈ അവസരത്തെ ഉപയോഗപ്പെടുത്തുന്നതിലേക്കു് സംഗതി വന്നിട്ടുള്ളതിനു് ഈ കൗൺസിലിനോടും വിശേഷിച്ചു ലാമെമ്പറിനോടും എനിക്കുള്ളതായ കൃതജ്ഞതയെ ഞാൻ ആദ്യമായി പ്രദർശിപ്പിച്ചുകൊള്ളുന്നു. എനിക്കിവിടെ വളരെ അധികമൊന്നും പറയാനില്ല; മുക്കാൽ ചില സംഗതികൾ മാത്രമേയുള്ളു. ഈ രാജ്യത്തുള്ള എല്ലാ ജന്മിമാരുടേയും പ്രതിനിധിത്തോട്ടുകൂടിയും അവരെന്നെ സർവ്വഭാവിശ്വസിച്ചും അയച്ച ഒരു മെമ്പറാണു ഞാൻ. എന്നാൽ ഞാൻ എന്റെ മനസ്സാക്ഷിയെ വഞ്ചിച്ചു് ഒരിക്കലും ഈ കൌൺസിലിൽ യാതൊരു നടപടികളും നടത്തീട്ടില്ല എന്നുള്ളതും പ്രത്യേകം രേഖപ്പെടുത്തേണ്ടതായ ഒരു സംഗതിയാണു്. (*Hear, hear,*) ജന്മികുടിയാൻ കായ്യത്തെസംബന്ധിച്ചു കുറച്ചധികം കാലമായി സൈരക്കേടായി വർത്തിച്ചുവരുന്നതിനാൽ ഏതു നിലയിലും ജന്മിക്കോ, കുടിയാനോ കുറെ നഷ്ടം വന്നാലും ഈ വഴക്കു പര്യവസാനിക്കണമെന്നുള്ള ഏക ഉദ്ദേശം മാത്രമാണു് ഈ കായ്യത്തിൽ ഞാൻ മുതലവഹിച്ച നിമിഷം മുതൽ എന്റെ മനസ്സിൽ ഉണ്ടായതു്. ഒരു പരിവർത്തനഘട്ടത്തിൽ പലേ സങ്കടങ്ങളും സുഖങ്ങളും അതിലുൾപ്പെട്ടിരിക്കുന്നവക്കു ലഭിക്കുന്നതായതുകൊണ്ടു് ആ നിലയിൽ അവരതു സഹിക്കുവാൻ തുടങ്ങേണ്ടതാണു്. അതവരുടെ കർത്തവ്യവുമാകുന്നു. എന്നാൽ ജന്മിമാക്കു് ന്യായമായി വരാൻപോകുന്നതായ അനുഭവത്തെപ്പറ്റി യാതൊന്നും ആലോചിക്കുവാൻതന്നെ ജന്മിലോകത്തിനു സാധിക്കുമോ എന്നെനിക്കു വളരെ സംശയമായ നിലയിലാണിരിക്കുന്നതു്. ഇവിടെ ഒരു ഭാഗത്തെപ്പറ്റി എന്റെ സ്നേഹിതൻ മി. ഗോപാലകൃഷ്ണപിള്ള പറഞ്ഞിട്ടുള്ളതിനോടു്, ആ നിലയിൽ, അതായതു് സ്വാർത്ഥസ്വത്തിന്റെ നാശത്തിലേക്കു അനുകൂലിക്കുന്നതിനു യോജിക്കുവാൻ എനിക്കു നിവൃത്തിയില്ല എന്നുകൂടി പറയേണ്ടിവന്നു. ഇപ്പോൾ സ്വാർത്ഥമായ സ്വത്തിന്റെ നാശത്തിനുവേണ്ടി ശ്രമിക്കുമ്പോൾ, ആ തൊരുപക്ഷം, ആ സ്വത്തിന്റെ ഉപയോഗകർത്താവിനു് സങ്കടകരമായിട്ടും വരുമെന്നുകൂടി അദ്ദേഹം ഓർക്കേണ്ടതാണു്. അതിൽ കൂടുതലായി യാതൊന്നും ഈ കായ്യത്തെപ്പറ്റി ഞാൻ അനുസ്മരിപ്പിക്കണമെന്നു വിചാരമില്ല. ഏറെക്കുറെ ഈ ബില്ലിന്റെ തത്വത്തെ നോക്കിയാൽ ഇന്നു നിലവിലിരിക്കുന്ന ജന്മികുടിയാൻ ബില്ലിന്റെ തത്വങ്ങളെക്കാൾ

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വളരെയൊക്കെ ന്യൂനതവന്നിട്ടുണ്ടെങ്കിലും ഈ രാജ്യത്തുള്ള ജന്മിയും കുടിയാനും തമ്മിലുള്ള സൗഹാർദ്ദത്തിന് ക്രട്ടതൽ ഗുണമുണ്ടായിട്ടുണ്ടെന്നുള്ളതിനു യാതൊരു സംശയവുമില്ല. ഈ ബില്ല ഏതുനിലയിലും ഈ ഘട്ടത്തിൽ പയ്യ്വസാനിക്കുക എന്നു വന്നതു് കൃതാത്ഥതക്കു വകനൽകുന്നുണ്ടു്. ആദ്യമെനിക്കുതോന്നി, ഈ ബിൽ ഈ കൗൺസിലിൽ പാസാക്കാതെതന്നെ അങ്ങനെ കുറെ നീണ്ടുകിടക്കട്ടെ എന്നു വിചാരിച്ചു. അന്നു് താൻ ഫ റ ഴ ഫ-ാം മാണ്ടത്തെ റഗുലേഷൻപ്രകാരം പന്ത്രണ്ടു കൊല്ലം കഴിഞ്ഞാൽ കാലഹരണംവരുന്നു എന്നുള്ള വകുപ്പു് ഇരുപതുകൊല്ലമെന്നാക്കണമെന്നു പറയുകയുണ്ടായി. അപ്പോൾ ഒരു സ്നേഹിതൻ എന്നോടു പറഞ്ഞു, കാലം മുമ്പോട്ടാണു പോകുന്നതു്, പിമ്പോട്ടല്ല എന്നു്. . ആ അവസരത്തിൽ ഞാനൊന്നു പറിച്ചു ജന്മിക്കു നഷ്ടംവരുന്നകാലത്തോളം കാലം മുമ്പോട്ടും ലാഭം വരുന്ന കാലത്തോളം പിമ്പോട്ടും പോകുമെന്നു്. ആ പാഠമനുസരിച്ചു് ഇനിയും ഈ ബില്ല പാസാക്കാതെ ഇട്ടുകയാണു ചെയ്യുന്നതെങ്കിൽ കാലം മുമ്പോട്ടാണു പോകുന്നതു്. നിശ്ചയമായും ജന്മിക്കു് യാതൊന്നും കിട്ടുവാൻ സാധിക്കുകയില്ല എന്നെനിക്കു തോന്നി. അതുകൊണ്ടിന്നത്തെ കൌൺസിലിൽ തന്നെ ഇതു പാസായാൽ ജന്മിമാരുടെയും കുടിയാന്മാരുടെയും ഇന്നത്തെ സ്ഥിതിഅനുസരിച്ചുള്ളനില അറിയാവുന്ന കൌൺസിലിൽ പാസ്സായാൽ കൊള്ളാമെന്നു് വിചാരിച്ചാണു് ഞാൻ ഈ ബില്ലു് ഇനിയും മുമ്പോട്ടുകൊണ്ടുപോകുന്നതിനു് ധൈര്യപ്പെടാതിരുന്നതു്. അതുകൊണ്ടു് ഈഅവസരത്തിൽ ഇതു പാസാക്കിയതിൽ എനിക്കു വളരെ സന്തോഷമുണ്ടു്. ഇതിന്റെ ഭാവി ഫലം അനുഭവിക്കുന്നതിലേക്കു ഗവണ്മെൻറു നല്ലവണ്ണം ശ്രദ്ധവയ്ക്കേണ്ടതായിട്ടാണിരിക്കുന്നതു്. ഇപ്പോൾ പാസായ ബില്ലിൽ ജന്മിമാക്കു വളരെ അവിശ്വാസം ജനിപ്പിക്കുന്ന ഒരു വകുപ്പുണ്ടു്. രണ്ടു കൊല്ലത്തേക്കു് ഗവണ്മെൻറിനു പിരിവുഭാരം ഏറെറടുക്കുവാൻ നിവൃത്തിയില്ലാതെ വന്നിരിക്കുന്നതിനാൽ, ലാമെമ്പർ അതിലൊന്നും സംശയിക്കേണ്ടതില്ലെന്നും അങ്ങനെ സംശയിക്കേണ്ട അവകാശമില്ലെന്നുമൊക്കെ സമാധാനപ്പെടുത്തീട്ടുണ്ടെങ്കിലും എന്തൊ അവിശ്വാസമുണ്ടായിരിക്കുന്നു. ഗവണ്മെൻറു പിരിവുഭാരം ഏറെറടുക്കുവാൻ മടിക്കുകയോ, അല്ലെങ്കിൽ അതിൽനിന്നും പിന്മാറുകയോ ചെയ്താൽ അതു ജന്മിമാക്കു് വളരെ സങ്കടകരമായ ഒരു കാര്യമാണു. അതുകൊണ്ടു് ഒരടുത്ത അവസരത്തിലെങ്കിലും ആ ഒരു വകുപ്പു് ഇതിൽനിന്നും മാറിക്കളഞ്ഞു പിരിവുഭാരം ഗവണ്മെൻറു തന്നെ പൂർണ്ണമായി വഹിച്ചു് ഇതു ഭംഗിയായി നിവ്വഹിക്കണമെന്നുള്ള അപേക്ഷ ഗവണ്മെൻറിനോടും വിശേഷിച്ചും

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[Mr. C. N. Tuppan Namputiripad.]

ലാമെമ്പറിനോടും ഞാൻ അഭ്യർത്ഥിക്കുകയും മേലാലും ജന്മിയും കുടിയാനുമെന്നുള്ള ബന്ധത്തേയോ മുൻ ബന്ധത്തേയോ ഒക്കെയും മറന്നു രാജ്യത്തിൽ മനുഷ്യൻ മനുഷ്യനാണെന്നുള്ള വിചാരത്തിൽ ജന്മിമാരായ ഞങ്ങളോടും ഈ കൗൺസിലിലെ അംഗങ്ങൾക്കും അല്ലെങ്കിൽ കുടിയാൻ ലോകത്തിനും അനുകമ്പയുണ്ടാകണമെന്നപേക്ഷിക്കുകയും ചെയ്തുകൊണ്ട് ഞാൻ ഈ ബിൽ പാസാക്കുന്നതിനോടുകൂടി അനുകൂലിച്ചു കൊള്ളുന്നു.

MR. C. P. BHATTATHIRI (*Co-opted*): സർ, എനിക്കും ഒരുസംയുക്തസാമാജികൻ എന്നുള്ള നിലയിൽ രണ്ടു വാക്കിവിടെ പറയേണ്ടതായിട്ടുണ്ട്. ജന്മിയും കുടിയാനുമായുള്ള ബന്ധം വളരെ പുരാതീനമായിട്ടുള്ളതാണ്. ഗവണ്മെൻറു യാതൊരിടപാടിലും പങ്കുകൊള്ളാതിരുന്ന കാലത്തു് അവർ തമ്മിലുള്ള ബന്ധം വളരെ ദൃഢമായിട്ടുള്ളതായിരുന്നു. ഇടക്കാലത്തു് ജന്മിമാരുടെ ഗതി അനുസരിച്ചു് അവരുടെ ബന്ധത്തെ നിയന്ത്രിക്കുന്ന ഒരു രാജകീയവിളംബരം ഇതേ സംബന്ധിച്ചുണ്ടാകുകയും ഇതുവരെ രണ്ടുകക്ഷിക്കാക്കും ആ വിളംബരമനുസരിച്ചുള്ള ഫലമുണ്ടാകുകയും ചെയ്തു. അതുമുതലാണു് ജന്മിയും കുടിയാനുമായി ഇതിനുമുമ്പുണ്ടായിരുന്ന ബന്ധം—ആ സൗഹാർദ്ദവും സാഹോദര്യവും—ക്രമേണ ഇല്ലാതെയാകുകയും അല്ലെങ്കിൽ കുറഞ്ഞുപോകുകയും അങ്ങനെ ജന്മിക്കും കുടിയാനുമായുള്ള ദൃഢബന്ധത്തിനു ക്രമേണ ശൈഥില്യം ഭവിക്കുകയും ചെയ്തിട്ടുള്ളതു്. ആ നിയമപ്രകാരമുണ്ടായിട്ടുള്ള വ്യവസ്ഥ അനുസരിച്ചു് ഓരോ ഭാഗക്കാരും അതുമുതൽ അടിക്കടി എന്നു മാത്രമല്ലാ, എല്ലായ്പോഴും വ്യവഹാരപ്പെടുവാൻ ഇടവന്നിട്ടുണ്ടു്. അങ്ങനെ വ്യവഹാരത്തിൽ ഒരോരുത്തരും വാദികളും പ്രതികളുമായിത്തന്നെ കഴിച്ചുകൂട്ടുക എന്ന അവസ്ഥ വന്നതുകൊണ്ടു് ജന്മിയും കുടിയാനും തമ്മിലുള്ള ആ ബന്ധത്തിനു് അല്പ സ്വല്പമായ ഉടവുതട്ടിക്കാണുമായിരിക്കാം. ഫെലെ അഞ്ചാം റഗുലേഷനിൽ ഈ ന്യൂനത കാണുന്നതിനെ സംബന്ധിച്ചു് ഇരുഭാഗക്കാരും പരാതിപറഞ്ഞുകൊണ്ടിരിക്കുകയായിരുന്നു. ഇപ്പോൾ ആവശ്യമുള്ള വ്യവസ്ഥകളും ഉണ്ടാക്കിയിരിക്കുന്നതു രാജ്യത്തേയ്ക്കു വളരെ ഉപയോഗപ്രദമായി തീരുമെന്നാണെന്റെ അഭിപ്രായം. ഈ വിഷയത്തിൽ ലാമെമ്പരും ഗവണ്മെൻറും ഈ ഹൗസിലുള്ള എല്ലാ സാമാജികന്മാരും ക്രമത്തിലധികം ക്ലേശിക്കുകയും ബുദ്ധിമുട്ടുകയും ചെയ്തിട്ടുണ്ടു്. ഈ ബിൽ അവതരിപ്പിച്ച കുറച്ചുനാളത്തേക്കു് എനിക്കു സംബന്ധിക്കുവാൻ കഴിഞ്ഞില്ലെങ്കിലും ഞാനും കൂടി ഉൾപ്പെട്ട നടത്തിയ എത്രാമത്തെ ദിവസത്തെ യോഗനടപടികൾകൊണ്ടു് അതിന്റെ ദുർഘടങ്ങളും

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ഏറെക്കുറെ അനുഭവിച്ചറിയുവാൻ എനിക്കു കഴിഞ്ഞിട്ടുണ്ട്. ശരിയായ സാമർത്ഥ്യവും ബുദ്ധിശക്തിയും പ്രദർശിപ്പിക്കുന്നതിന് പണ്ഡിതനായ ലാമെമ്പക്കു കഴിഞ്ഞിരുന്നില്ല എന്നു വരികിൽ ഇത്രയുംതന്നെ സമാധാനപരമായും തൃപ്തികരമായും ഈ ബിൽ പാസാക്കുവാൻ സാധിക്കുമായിരുന്നില്ല. ജന്മിമാരുടെ വകയായ ജന്മികരം പിരിച്ചെടുക്കുന്നതിനുള്ള ഭാരം ഗവണ്മെൻറു കയ്യേറ്റുകഴിഞ്ഞാൽ പിന്നീടുള്ള അവസ്ഥ എന്താണെന്ന് അനുഭവിച്ചുമാത്രമേ അറിയുവാൻ നിവൃത്തിയുള്ളൂ. മേലും ഗവണ്മെൻറു ജനങ്ങൾക്കു ഗുണപ്രദമായ നിലയിൽ ഇതിനത്യാവശ്യമായ മാറ്റങ്ങൾ അപ്പോഴപ്പോൾ ചെയ്തുതരുമെന്നുള്ള വിശ്വാസത്തിൽ എന്റെ വ്യക്തിപരമായും സമുദായത്തിനുവേണ്ടിയുമുള്ള യോജിപ്പിനേയും കൃതജ്ഞതയേയും ഇവിടെ പ്രദർശിപ്പിച്ചുകൊള്ളുന്നു.

PRESIDENT: I think I may take it that the House accepts the motion.

The question that the Travancore Jenmi and Kudiyan Regulation Amendment Bill, as amended by the Council, be passed, was put and carried *nem con.*

PRESIDENT: I congratulate the House.

THE TRAVANCORE MUNICIPAL REGULATION AMENDMENT BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to move that in the Proviso to the proposed Section 199 (3), for the word "*Municipality*" the word "Council" be substituted.

It is merely a verbal amendment; the main provision in the immediately previous paragraph refers to '*Council*', and Section 61 also which refers to the authority that is competent to impose taxes refers only to "the *Council*". Hence by this change no substantial change is intended.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

The amendment was carried *nem con.*

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move that the Bill as now amended be passed.

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

The motion was carried.

THE TRAVANCORE TOWN-PLANNING BILL.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I beg to move that in clause 1 (3) the words "*at once*" be substituted for the word "*on*".

MR. R. NILAKANTA PILLAI (*Financial Secretary to Government*): I second it.

The amendment was carried *nem con.*

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